

RCRAInfo CM&E EVALUATION - VIOLATION FORM

*EPA ID Number		PAD 041744038		EIN			
Handler Name		HART METALS MAGNESIUM ELECTRON POWDERS PA / Hart Metals Inc					
Street		1115 E. BROAD ST.					
City		TAMPA		State		PA	
				Zip Code		18252	
Actual Generator Status <small>Check only if different from Notified Status.</small>				LQG <input type="checkbox"/>		SQG <input type="checkbox"/>	
				CESQG <input type="checkbox"/>		Closed <input type="checkbox"/>	
						Non-Handler <input type="checkbox"/>	
Universe Change Required? <small>(Generator Status Change Required)</small>		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If YES, complete the Universe Change Section (on reverse side of this form).					
RCRA Non-Notifier?		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If YES, complete the Handler Section (on reverse side of this form).					
Other Facility Information Changes?		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If YES, complete the Handler Section (on reverse side of this form).					
*EVALUATION		<input checked="" type="checkbox"/> Add		<input type="checkbox"/> Update		<input type="checkbox"/> Delete	
<small>You must provide an Evaluation Identifier (also known as the Sequence Number).</small>							
*Evaluation Identifier		*Type		*Evaluation Start Date <small>(mm/dd/yyyy)</small>		*Agency	
		FUI		06/12/2007		S	
						Responsible Person	
						RL	
						Suborganization	
						CM	
<small>You need to specify Day Zero for all evaluation types except CDI, CSE, FUI, SNN, and SNN, otherwise it defaults to Evaluation Start Date. For CDI, CSE, FUI, and SNN evaluations, you must select a previous CEI Start Date for the Day Zero. SNN evaluation type does not require a Day Zero.</small>				<small>Day Zero (mm/dd/yyyy):</small> <div style="border: 1px solid black; padding: 5px; display: inline-block;">2/1/07</div>		<small>Reclassified SV Date:</small> <small>Only applicable for SNN evaluation type as appropriate.</small>	
Notes:							
Evaluation Indicator Field (Check all that apply) <input type="checkbox"/> Citizen Complaint <input type="checkbox"/> Multimedia Inspection <input type="checkbox"/> Sampling <input type="checkbox"/> Not Subtitle C							
Focused Coverage Areas (Use Only for Evaluation Type FCI) <small>Regulation-Specific FCI</small> BIF <input type="checkbox"/> CCI <input type="checkbox"/> CFI <input type="checkbox"/> INC <input type="checkbox"/> LDR <input type="checkbox"/> PTB <input type="checkbox"/> PTX <input type="checkbox"/> THI <input type="checkbox"/> UIC <input type="checkbox"/> UOI <input type="checkbox"/> UWR <input type="checkbox"/> OTHER (specify): _____ <small>Routine/Standardized FCI</small> CAR <input type="checkbox"/> CPC <input type="checkbox"/> DOS <input type="checkbox"/> EMR <input type="checkbox"/> IEI <input type="checkbox"/> ISI <input type="checkbox"/> RTI <input type="checkbox"/>							
Does this Evaluation Add/Update/Delete a Violation?				YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		If Yes, fill in the Violations Section(s) on page 2 of this form.	
Does this Evaluation link to a Commitment?				YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		If Yes, please use the RCRAInfo 3007 Information Requests and Commitments Form.	
Does this Evaluation link to a 3007 Request?				YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		If Yes, please use the RCRAInfo 3007 Information Requests and Commitments Form.	
OUTSTANDING VIOLATIONS COVERED BY ABOVE EVALUATION?				YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		If Yes, fill in information below.	
*Seq. No.	*Violation Type	*Agency	*Regulation Citation <small>(Type + Citation) (ex. FR 262.1)</small>			*Date Determined <small>(mm/dd/yyyy)</small>	

*Required Fields

EPA ID Number				Handler Name			
PA D 041744038				HART METALS ^{INC} MAGNESIUM ELECTRON POWDERS, PA			
VIOLATIONS SECTION (Additional Violations can be added/updated/deleted using the RCRAInfo CM&E Additional Violations Form)							
VIOLATION <input type="checkbox"/> Add <input checked="" type="checkbox"/> Update <input type="checkbox"/> Delete				Link to Above Evaluation <input checked="" type="checkbox"/>			
Seq. No	Violation Type	Agency	Determined Date (mm/dd/yyyy)	Return to Compliance (RTC) Qualifier	Actual RTC Date (mm/dd/yyyy)		
4	262.C	S	2/1/2007	0	A RTC Qualifier is required if entering an Actual RTC Date.		
Notes:							
LINK CITATIONS TO ABOVE VIOLATION?				YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		If Yes, fill in information below	
Citation Type		Citation		Citation Type		Citation	
FR		262.34(a)(u)					
FR		262.34(a)					
VIOLATION <input type="checkbox"/> Add <input checked="" type="checkbox"/> Update <input type="checkbox"/> Delete				Link to Above Evaluation <input checked="" type="checkbox"/>			
Seq. No	Violation Type	Agency	Determined Date (mm/dd/yyyy)	Return to Compliance (RTC) Qualifier	Actual RTC Date (mm/dd/yyyy)		
5	265.I	S	2/1/2007	0	A RTC Qualifier is required if entering an Actual RTC Date.		
Notes:							
LINK CITATIONS TO ABOVE VIOLATION?				YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		If Yes, fill in information below	
Citation Type		Citation		Citation Type		Citation	
FR		265.174					
HANDLER SECTION (Fill out if RCRA Non-Notifier)							
Handler Name		Contact					
Street							
City		State		Zip Code			
County							
UNIVERSE CHANGE SECTION (Fill out if Universe Change Required)							
I. Indicate the Facility's current Universe(s):							
II. Indicate the new RCRAInfo Generator Universe: Note: All TSD activity changes must be handled by the FOR and cannot be made using this form.				LQG <input type="checkbox"/> SQG <input type="checkbox"/> CEG <input type="checkbox"/> Non-Handler <input type="checkbox"/> Closed <input type="checkbox"/>			
III. Indicate the new transporter status: (Only fill out if the facility requires a transporter status change)		Transporter <input type="checkbox"/> If the transporter box is checked, you must check at least one mode of transportation below: <input type="checkbox"/> Air <input type="checkbox"/> Water <input type="checkbox"/> Rail <input type="checkbox"/> Other <input type="checkbox"/> Highway			Non-Transporter <input type="checkbox"/> Check non-transporter if the facility is currently listed in RCRAInfo as a transporter AND no longer transports hazardous waste.		

*Required Fields

HAZARDOUS WASTE INSPECTION REPORT Sub ID# 1629397☒ GENERATOR☐ S Q GENERATORCompany name HART METALS MAGNESIUM ELEKTRON POWDERS PAEPA I.D. Number PA0041744038 Employer I.D. Number (EIN) _____Site Address 1415 E. BROAD ST Tamaqua PACounty SCHUYLKILL Municipality TAMAQUA BORO Zip 18252Name of Inspector ROBERT LACZIName & Title of Responsible Official RICKY MILLER, PLANT MANAGERPerson Interviewed DAVID RASCAVAGE Telephone (570) 668-0001Mailing Address (if different from above) SAMEAmount of Hazardous Waste Generated per Month: > 2000 Pounds _____ Kgs _____

1. Site Characterization:

STORAGE: ☒ Container ☐ Tanks ☐ Containment Bldg. ☐ Drip Pad Other _____PBR: ☐ Neutralization/WWTP ☐ Reclaim Other _____GENERATOR TREATMENT ☐ Containers ☐ Tanks ☐ Containment Bldg. ☐ Drip Pad2. Universal Waste: ☐ Large Quantity Handler ☐ Small Quantity Handler

Universal Waste Types _____

3. Hazardous Waste Transporters:

Transporter Name ST. JOSEPH MOTORLINES License Number _____

Transporter Name _____ License Number _____

Transporter Name _____ License Number _____

4. Types of hazardous waste generated and destination facility (location & type).

Waste Code	Waste Description	Destination Facility
<u>0001, 0603</u>		



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT

HAZARDOUS WASTE INSPECTION REPORT GENERATORS -- SMALL QUANTITY GENERATORS

Site Name HART METALS MAGNESIUM ELECTROLYSIS ID Number PAP 041744938 Date 6/12/2007

1 - No Violation Observed 2 - Not Applicable 3 - Not Determined 4 - Non Compliance

STATUS

1	2	3	4	REQUIREMENT	PA CIT. 25 PA Code	FED. CIT. 40 CFR	LINE NO.
		X		Hazardous waste determination performed on all waste streams	262a.10	262.11	H001
		X		Identification Number	262a.10	262.12	H002
		X		Authorized transporters only	262a.10	262.12(c)	H003
		X		Subsequent notification requirements met	262a.12(b)		H004
		X		Proper manifest used	262a.10	262.21	H005
		X		Manifests filled out correctly and completely	262a.20		H006
		X		Manifests signed and routed properly	262a.23(a)	262.23	H007
		X		Generator waste accumulated on site for 90 days or less	262a.10	262.34(a)	H008
		X		SQG waste accumulated on site for 180 days max unless 200 mile distance rule applies - 270 days	262a.10	262.34(e)(f)	H009
		X		SQG waste accumulated on-site never exceeds 6000 kg	262a.10	262.34(e)(f)	H010
		X		Satellite accumulation requirements complied with	262a.10	262.34(c)	H011
X				Personnel training program per 265.16 complied with	262a.10	262.34(a)(4) 262.34(d)	H012
		X		Manifest exception and biennial reports retained for 3 years	262a.10	262.40(a)(b)	H013
		X		Specified records retained for three years	262a.10	262.40(c)	H014
		X		Biennial reports submitted to the Department (LQG only)	262a.41	262.41	H015
		X		Exception reporting procedures followed	262a.42	262.42	H016
		X		Spill reporting procedures followed	262a.43	262.34(d)	H017
		X		PPC plan developed and implemented	262a.10	262.34(a)	H018
		X		Special requirements followed for international shipments	262a.10	262.50 262.60	H019
		X		Source reduction strategy prepared and available (LQG only)	262a.100		H020
		X		Excluded waste complies with exclusionary requirements	261a.4	261.4	H021

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT

HAZARDOUS WASTE INSPECTION REPORT
GENERATORS -- SMALL QUANTITY GENERATORS
FACILITY SPECIFICS

Site Name HART METALS MAGNESIUM ELECTRON POWERS ID Number PA0041744038 Date _____

1 - No Violation Observed 2 - Not Applicable 3 - Not Determined 4 - Non Compliance

STATUS

1	2	3	4	REQUIREMENT	PA CIT. 25 PA Code	FED CIT. 40 CFR	LINE NO.
		X		CONTAINERS (Subchapter I)			
		X		Containers managed in compliance with 40 CFR Part 265 Subpart I and 25 PA Code Chapter 265a Subchapter I	262a.10	262.34	H025
		X		Containers of hazardous waste in good condition	265a.1	265.171	H026
		X		Containers and stored waste compatible	265a.1	265.172	H027
		X		Containers kept closed except during addition or removal of wastes	265a.1	265.173(a)	H028
		X		Containers managed to prevent leaks	265a.1	265.173(b)	H029
		X		Container configuration and spacing insures safe management and access for inspection purposes and emergency equipment	265a.173		H030
X				Container storage areas inspected at least weekly	265a.1	265.174	H031
		X		Special requirements for ignitable or reactive and incompatible waste complied with	265a.1	265.176-177	H032
		X		Proper containment and collection systems in place	265a.179		H033
		X		Air emission standards complied with (AA, BB, CC)	265a.1	265.178	H034
		X		Containers clearly marked with accumulation date and visible for inspection	262a.10	262.34(a)(2)	H035
		X		Containers labeled "Hazardous Waste"	262a.10	262.34(a)(3)	H036
		X		Containers labeled accurately identify contents	SWMA 6018.403(b) (2)		H037

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

INSPECTION REPORT COMMENTS

Date of Inspection 6/12/2007Identification Number PAD041744038Company/Facility/Site Name HART METALS MAGNESIUM ELECTRON POWDERS

A follow up inspection was conducted to determine whether violations noted on 2/1/2007 inspection report have been addressed.

HART METALS MAGNESIUM ELECTRON POWDERS (HART METALS), a manufacturer of atomized magnesium powders for the military, has implemented weekly inspections of both 90 day storage areas and satellite accumulation areas. Inspection logs from 2/2/2007 to present were reviewed and were complete.

HART METALS has contracted RT Environmental Services, Inc. King of Prussia, PA to administer yearly haz-materials training. Training certificates were reviewed and were complete.

Open violations from 2/1/07 have been corrected.

Note: Form 8700-12 was supplied to Hart metals so that proper notification can be made to note name change from HART METALS to HART METALS MAGNESIUM ELECTRON POWDERS.

This inspection report is notice of the findings of an inspection conducted by a representative of the Department. This report is formal notification of any violations observed during the inspection. Additional notification of violations may be issued concerning either violations noted herein, or other violations identified as a result of review of laboratory analyses or Department records.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the persons interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person Interviewed Dan Brown

(Signature)

Date 6-12-07Inspector Robert J.

(Signature)

Date 6/12/2007

EPA

March 2006

RCRAInfo CM&E ENFORCEMENT FORM

*EPA ID Number		Handler Name						
PAD041744038		Hart Metals, Inc.						
*ENFORCEMENT		<input checked="" type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete				You must provide an Enforcement Identifier (also known as Seq. No.).		
*Identifier	*Enforcement Date (mm/dd/yyyy)	*Activity Location	*Agency	*Type	Sub-organization	Responsible Person	Attorney	
	02/13/2007	PA	S	120	WM	RMM		
Docket Number: _____								
Enforcement Notes: Notice of Violation								
Is Enforcement Type 380 (Super CA/FO) and part of a Multi-site Consent Agreement/Final Order (CA/FO)? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, you must provide the CA/FO Sequence Number below. If you are the lead agency and want to add a Multi-site CAFO, please provide the CA/FO Respondent Name (required) and Notes (as necessary).								
*CA/FO Sequence Number:		*Respondent Name:						
Notes: _____								
Was there an Appeal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please fill in this Section				Disposition Status				
*Appeal Initiated Date (mm/dd/yyyy)		*Appeal Resolved Date (mm/dd/yyyy)		*Disposition Status Qualifier		*Disposition Status Date (mm/dd/yyyy)		
Does this Enforcement Action Contain Corrective Action Requirements? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No								
Do you want to link Media? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please fill in Multimedia Section below on page 1 of this form.								
Do you want to Add/Update/Delete a Technical Requirement Milestone? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please fill in Technical Requirement Milestone Section on page 2 of this form.								
*LINK VIOLATIONS TO THE ABOVE ENFORCEMENT ACTION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please fill in the Section below. Note: You can link RTC'd violations to an enforcement action.								
*Seq. No.	*Agency	*Type	*Regulation Citation (Type + Citation) (ex. FR 262.1)	*Date Determined (mm/dd/yyyy)	Already RTC'd	Scheduled RTC Date (mm/dd/yyyy)	RTC Qualifier <small>An RTC Qualifier is required if entering an Actual RTC Date</small>	RTC Actual Date (mm/dd/yyyy)
	S	262.C	FR262.34(a)(2)	02/01/2007	<input checked="" type="checkbox"/>	02/01/2007	O	02/01/2007
	S	262.C	FR262.34(a)(3)	02/01/2007	<input checked="" type="checkbox"/>	02/01/2007	O	02/01/2007
	S	262.C	FR262.34(c)	02/01/2007	<input checked="" type="checkbox"/>	02/01/2007	O	02/01/2007
	S	XXS	SS6018.403(b)(2)	02/01/2007	<input checked="" type="checkbox"/>	02/01/2007	O	02/01/2007
	S	262.C	FR262.34(a)(4)	02/01/2007	<input checked="" type="checkbox"/>	02/01/2007		
	S	262.C	FR262.34	02/01/2007	<input type="checkbox"/>			
Multimedia Section (Check all that apply)								
<input type="checkbox"/> AIR	<input type="checkbox"/> CRE	<input type="checkbox"/> CRS	<input type="checkbox"/> EPC	<input type="checkbox"/> FIF				
<input type="checkbox"/> MSW	<input type="checkbox"/> ORP	<input type="checkbox"/> PCB	<input type="checkbox"/> RCA	<input type="checkbox"/> SPC				
<input type="checkbox"/> TSC	<input type="checkbox"/> UIC	<input type="checkbox"/> UST	<input type="checkbox"/> WAT	<input type="checkbox"/> WET				

*Required Fields

RCRAInfo CM&E ENFORCEMENT FORM

*EPA ID Number			Handler Name				
PAD041744038			Hart Metals, Inc.				
*ENFORCEMENT <input type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete			You must provide an Enforcement Identifier (also known as Seq. No.):				
*Identifier	*Enforcement Date (mm/dd/yyyy)	*Activity Location	*Agency	*Type	Sub-organization	Responsible Person	Attorney
			Docket Number: _____				
Enforcement Notes: _____							
Is Enforcement Type 380 (Super CA/FO) and part of a Multi-site Consent Agreement/Final Order (CA/FO)? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, you must provide the CA/FO Sequence Number below. If you are the lead agency and want to add a Multi-site CAFO, please provide the CA/FO Respondent Name (required) and Notes (as necessary).							
*CA/FO Sequence Number:			*Respondent Name:				
Notes: _____							
Was there an Appeal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please fill in this Section				Disposition Status			
*Appeal Initiated Date (mm/dd/yyyy)		*Appeal Resolved Date (mm/dd/yyyy)		*Disposition Status Qualifier		*Disposition Status Date (mm/dd/yyyy)	
Does this Enforcement Action Contain Corrective Action Requirements? <input type="checkbox"/> Yes <input type="checkbox"/> No							
Do you want to link Media? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please fill in Multimedia Section below on page 1 of this form.							
Do you want to Add/Update/Delete a Technical Requirement Milestone? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please fill in Technical Requirement Milestone Section on page 2 of this form.							
*LINK VIOLATIONS TO THE ABOVE ENFORCEMENT ACTION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please fill in the Section below. Note: You can link RTC'd violations to an enforcement action.							
*Seq. No.	*Agency	*Type	*Regulation Citation (Type + Citation) (ex. FR 262.1)	*Date Determined (mm/dd/yyyy)	Already RTC'd	Scheduled RTC Date (mm/dd/yyyy)	RTC Qualifier An RTC Qualifier is required if entering an Actual RTC Date
	S	265.I	FR265.174	02/01/2007	<input type="checkbox"/>		
					<input type="checkbox"/>		
					<input type="checkbox"/>		
					<input type="checkbox"/>		
					<input type="checkbox"/>		
					<input type="checkbox"/>		
Multimedia Section (Check all that apply)							
<input type="checkbox"/> AIR	<input type="checkbox"/> CRE	<input type="checkbox"/> CRS	<input type="checkbox"/> EPC	<input type="checkbox"/> FIF			
<input type="checkbox"/> MSW	<input type="checkbox"/> ORP	<input type="checkbox"/> PCB	<input type="checkbox"/> RCA	<input type="checkbox"/> SPC			
<input type="checkbox"/> TSC	<input type="checkbox"/> UIC	<input type="checkbox"/> UST	<input type="checkbox"/> WAT	<input type="checkbox"/> WET			

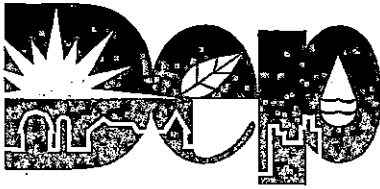
*Required Fields

*EPA ID Number	Handler Name
PAD041744038	Hart Metals, Inc.

PENALTY SECTION											
PENALTY <input type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete	Link to Above Enforcement <input checked="" type="checkbox"/>										
<div style="display: flex; justify-content: space-between;"> <div> *Penalty Type <input type="text"/> </div> <div> *Penalty Amount \$ <input type="text"/> </div> <div> Penalty Notes <input style="width: 100%;" type="text"/> </div> </div>											
PENALTY PAYMENT <input type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete											
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">Scheduled Date (mm/dd/yyyy)</th> <th style="width:20%;">Scheduled Amount</th> <th style="width:20%;">Paid Date (mm/dd/yyyy)</th> <th style="width:20%;">Paid Amount</th> <th style="width:20%;">Defaulted Date (mm/dd/yyyy)</th> </tr> <tr> <td> </td> <td>\$</td> <td> </td> <td>\$</td> <td> </td> </tr> </table> <p>Notes: <input style="width: 100%;" type="text"/></p>		Scheduled Date (mm/dd/yyyy)	Scheduled Amount	Paid Date (mm/dd/yyyy)	Paid Amount	Defaulted Date (mm/dd/yyyy)		\$		\$	
Scheduled Date (mm/dd/yyyy)	Scheduled Amount	Paid Date (mm/dd/yyyy)	Paid Amount	Defaulted Date (mm/dd/yyyy)							
	\$		\$								
PENALTY PAYMENT <input type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete											
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Scheduled Date (mm/dd/yyyy)	Scheduled Amount	Paid Date (mm/dd/yyyy)	Paid Amount	Defaulted Date (mm/dd/yyyy)							
PENALTY <input type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete											
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Scheduled Date (mm/dd/yyyy)	Scheduled Amount	Paid Date (mm/dd/yyyy)	Paid Amount	Defaulted Date (mm/dd/yyyy)							
	\$		\$								
PENALTY PAYMENT <input type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete											
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Scheduled Date (mm/dd/yyyy)	Scheduled Amount	Paid Date (mm/dd/yyyy)	Paid Amount	Defaulted Date (mm/dd/yyyy)							
	\$		\$								

TECHNICAL REQUIREMENT MILESTONE SECTION		
(Additional Technical Requirement Milestones can be added using the RCRAInfo CM&E Additional Technical Requirement Milestones Form)		
<input type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete	Link to Above Enforcement <input type="checkbox"/>	
Technical Requirement Number: <input style="width: 100%;" type="text"/>		
Technical Requirement Description: <input style="width: 100%;" type="text"/>		
Scheduled Completion Date (mm/dd/yyyy)	Actual Completion Date (mm/dd/yyyy)	Defaulted Date (mm/dd/yyyy)
Notes: <input style="width: 100%;" type="text"/>		

*Required Fields



Pennsylvania Department of Environmental Protection

2 Public Square
Wilkes-Barre, PA 18711-0790
February 13, 2007

Northeast Regional Office

570-826-2511
Fax 570-826-5448

NOTICE OF VIOLATION

CERTIFIED MAIL NO. 7006 2760 0005 0859 8797

Hart Metals, Inc.
1415 East Broad Street
Tamaqua, PA 18252

Attention: Mr. Ricky Miller, Plant Manager

Re: Hart Metals, Inc.
Tamaqua Borough, Schuylkill County
EPA I.D. No. PAD041744038

Dear Mr. Miller:

As a result of a February 1, 2007 inspection at the referenced facility, the Department of Environmental Protection ("Department") has determined that Hart Metals, Inc. ("Hart Metals") is in violation of the Solid Waste Management Act, Act of July 7, 1980, P.L. 380, No. 97, 35 P.S. Sections 6018.101 *et seq.*, and the Hazardous Waste Management Rules and Regulations found at 40 CFR Parts 260 to 270 incorporated by reference at 25 Pa. Code Chapters 260a to 270a as follows:

1. Three containers of hazardous waste "scrubber oil" located in the 90-day hazardous waste storage area lacked accumulation dates and the words "Hazardous Waste", and were not labeled to accurately identify the contents, in violation of the following:
 - a. Hart Metals failed to ensure that the date upon which each period of accumulation begins is clearly marked and visible for inspection on each container, in violation of 40 CFR §262.34(a)(2), as incorporated by reference at 25 Pa. Code §262a.10.
 - b. Hart Metals failed to label each container of hazardous waste with the words, "Hazardous Waste", in violation of 40 CFR §262.34(a)(3), as incorporated by reference at 25 Pa. Code §262a.10.
 - c. Hart Metals failed to label containers used for the storage, transportation or disposal of hazardous waste so as to accurately identify such waste, in violation of the Solid Waste Management Act, Act of July 7, 1980, P.L. 380, No. 97, 35 P.S. Section 6018.403(b)(2).



2. Hart Metals failed to mark containers of hazardous waste at or near any point of generation where wastes initially accumulate with the words "Hazardous Waste" or with words that identify the contents of the containers, in violation of 40 CFR §262.34(c)(1)(ii), as incorporated by reference at 25 Pa. Code §262a.10. Specifically, one 55-gallon drum of hazardous waste "scrubber oil" located in the satellite accumulation area was not labeled with "Hazardous Waste" or other words identifying the contents.

The above violations were immediately corrected by the facility during the inspection.

3. Hart Metals failed to conduct the required annual personnel training as per 40 CFR §265.16, in violation of 40 CFR §262.34(a)(4), as incorporated by reference at 25 Pa. Code §262a.10.
4. Hart Metals failed to manage containers of hazardous waste in compliance with 40 CFR Part 265 Subpart I, in violation of 40 CFR §262.34(a)(1)(i), as incorporated by reference at 25 Pa. Code §262a.10. Specifically, the facility failed to comply with the following requirements of 40 CFR Part 265 Subpart I:
 - a. Hart Metals failed to inspect areas where containers of hazardous waste are stored at least weekly, in violation of 40 CFR §265.174, as incorporated by reference at 25 Pa. Code §265a.1. The facility was unable to provide records documenting weekly inspections of the 90-day hazardous waste storage area.

You are notified of both the existence of the violations as well as the need to provide prompt correction. Failure to correct the violations may result in legal proceedings under the Solid Waste Management Act. Under the Act, each day of the violation is considered a distinct and separate offense and will be handled accordingly.

Therefore, within fifteen (15) days of receipt of this notice, please submit a proposed plan and schedule to the Department that addresses the correction and prevention of the above violations. The plan should show how Hart Metals intends to comply with the Department's rules and regulations and should also include information on how these violations will be prevented from reoccurring in the future.

This Notice of Violation is neither an order nor any other final action of the Department of Environmental Protection. It neither imposes nor waives any enforcement action available to the Department under any of its statutes. If the Department determines that an enforcement action is appropriate, you will be notified of the action.

If you have any questions about this letter, please contact me at (570) 826-2511.

Sincerely,



Rachel Miller
Environmental Protection Compliance Specialist
Waste Management Program

bcc: WM file thru W. Tomayko
J. Leskosky
C. Rogers
R. Miller
R. Laczi
EPA thru R. Miller ✓
CO thru R. Miller

RM:sp

WP: W3-4920.doc

H(Ashare)P: 2/12/07, T(F): 2/13/07

RCRAInfo CM&E EVALUATION – VIOLATION FORM

*EPA ID Number		PAD041744 038		EIN			
Handler Name		HART METALS INC					
Street		1415 E BROAD STREET					
City		TAMAQUA		State		PA	
				Zip Code		18252	
Actual Generator Status <small>Check only if different from Notified Status.</small>				LQG <input type="checkbox"/>		SQG <input type="checkbox"/>	
				CESQG <input type="checkbox"/>		Closed <input type="checkbox"/>	
						Non-Handler <input type="checkbox"/>	
Universe Change Required? <small>(Generator Status Change Required)</small>		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If YES, complete the Universe Change Section (on reverse side of this form).					
RCRA Non-Notifier?		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If YES, complete the Handler Section (on reverse side of this form).					
Other Facility Information Changes?		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If YES, complete the Handler Section (on reverse side of this form).					
*EVALUATION		<input checked="" type="checkbox"/> Add		<input type="checkbox"/> Update		<input type="checkbox"/> Delete	
<small>You must provide an Evaluation Identifier (also known as the Sequence Number).</small>							
*Evaluation Identifier	*Type	*Evaluation Start Date <small>(mm/dd/yyyy)</small>		*Agency	Responsible Person		Suborganization
	CEI	2/1/2007		S	RL		WM
Day Zero (mm/dd/yyyy): <small>You need to specify Day Zero for all evaluation types except CDI, CSE, FUI, SNN, and SNN, otherwise it defaults to Evaluation Start Date. For CDI, CSE, FUI, and SNN evaluations, you must select a previous CEI Start Date for the Day Zero. SNN evaluation type does not require a Day Zero.</small>				<div style="border: 1px solid black; padding: 5px; display: inline-block;">2.1.07</div>		Reclassified SV Date: <small>Only applicable for SNN evaluation type as appropriate.</small>	
Notes:							
Evaluation Indicator Field (Check all that apply)							
<input type="checkbox"/> Citizen Complaint <input type="checkbox"/> Multimedia Inspection <input type="checkbox"/> Sampling <input type="checkbox"/> Not Subtitle C							
Focused Coverage Areas (Use Only for Evaluation Type FCI)							
Regulation-Specific FCI							
BIF <input type="checkbox"/> CCI <input type="checkbox"/> CFI <input type="checkbox"/> INC <input type="checkbox"/> LDR <input type="checkbox"/> PTB <input type="checkbox"/> PTX <input type="checkbox"/>							
THI <input type="checkbox"/> UIC <input type="checkbox"/> UOI <input type="checkbox"/> UWR <input type="checkbox"/> OTHER (specify): _____							
Routine/Standardized FCI							
CAR <input type="checkbox"/> CPC <input checked="" type="checkbox"/> DOS <input type="checkbox"/> EMR <input type="checkbox"/> IEI <input type="checkbox"/> ISI <input type="checkbox"/> RTI <input type="checkbox"/>							
Does this Evaluation Add/Update/Delete a Violation?				YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		If Yes, fill in the Violations Section(s) on page 2 of this form.	
Does this Evaluation link to a Commitment?				YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		If Yes, please use the RCRAInfo 3007 Information Requests and Commitments Form.	
Does this Evaluation link to a 3007 Request?				YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		If Yes, please use the RCRAInfo 3007 Information Requests and Commitments Form.	
OUTSTANDING VIOLATIONS COVERED BY ABOVE EVALUATION?				YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		If Yes, fill in information below.	
*Seq. No.	*Violation Type	*Agency	*Regulation Citation <small>(Type + Citation) (ex. FR 262.1)</small>			*Date Determined <small>(mm/dd/yyyy)</small>	

*Required Fields

EPA ID Number				Handler Name			
PA0041744038				HART METALS INC.			
VIOLATIONS SECTION (Additional Violations can be added/updated/deleted using the RCRAInfo CM&E Additional Violations Form)							
VIOLATION <input checked="" type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete				Link to Above Evaluation <input type="checkbox"/>			
Seq. No	Violation Type	Agency	Determined Date (mm/dd/yyyy)	Return to Compliance (RTC) Qualifier		Actual RTC Date (mm/dd/yyyy)	
	262.C 262.A	S	2/1/2007	0 A RTC Qualifier is required if entering an Actual RTC Date.		2/1/2007	
Notes:							
LINK CITATIONS TO ABOVE VIOLATION?				YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		If Yes, fill in information below	
Citation Type		Citation		Citation Type		Citation	
FR		40 CFR 262.34(c)(1)		FR		40 CFR 262.34(a)(3)	
FR		40 CFR 262.34(a)(2)					
VIOLATION <input checked="" type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete				Link to Above Evaluation <input type="checkbox"/>			
Seq. No	Violation Type	Agency	Determined Date (mm/dd/yyyy)	Return to Compliance (RTC) Qualifier		Actual RTC Date (mm/dd/yyyy)	
	XXS	S	2/1/2007	0 A RTC Qualifier is required if entering an Actual RTC Date.		2/1/2007	
Notes:							
LINK CITATIONS TO ABOVE VIOLATION?				YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		If Yes, fill in information below	
Citation Type		Citation		Citation Type		Citation	
SS		SWMA 6018.403(b)(2)					
HANDLER SECTION (Fill out if RCRA Non-Notifier)							
Handler Name		Contact					
Street							
City		State		Zip Code			
County							
UNIVERSE CHANGE SECTION (Fill out if Universe Change Required)							
i. Indicate the Facility's current Universe(s):							
ii. Indicate the new RCRAInfo Generator Universe: Note: All TSD activity changes must be handled by the IOR and cannot be made using this form.				LQG <input type="checkbox"/> SQG <input type="checkbox"/> CEG <input type="checkbox"/> Non-Handler <input type="checkbox"/> Closed <input type="checkbox"/>			
iii. Indicate the new transporter status: (Only fill out if the facility requires a transporter status change)		Transporter <input type="checkbox"/> If the transporter box is checked, you must check at least one mode of transportation below: <input type="checkbox"/> Air <input type="checkbox"/> Water <input type="checkbox"/> Rail <input type="checkbox"/> Other <input type="checkbox"/> Highway			Non-Transporter <input type="checkbox"/> Check non-transporter if the facility is currently listed in RCRAInfo as a transporter AND no longer transports hazardous waste.		

*Required Fields

EPA ID Number				Handler Name			
PAD041744038				HART METALS INC.			
VIOLATIONS SECTION (Additional Violations can be added/updated/deleted using the RCRAInfo CM&E Additional Violations Form)							
VIOLATION <input checked="" type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete						Link to Above Evaluation <input type="checkbox"/>	
Seq. No	Violation Type	Agency	Determined Date (mm/dd/yyyy)	Return to Compliance (RTC) Qualifier		Actual RTC Date (mm/dd/yyyy)	
	262.A 262.C	S	2/1/2007	<input type="checkbox"/> A RTC Qualifier is required if entering an Actual RTC Date.			
Notes:							
LINK CITATIONS TO ABOVE VIOLATION?				YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		If Yes, fill in information below	
Citation Type		Citation		Citation Type		Citation	
FR		262.34(a)(4)		FR		265.174	
FR		262.34(a)		FR		262.34	
VIOLATION <input checked="" type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete						Link to Above Evaluation <input type="checkbox"/>	
Seq. No	Violation Type	Agency	Determined Date (mm/dd/yyyy)	Return to Compliance (RTC) Qualifier		Actual RTC Date (mm/dd/yyyy)	
.	265.I	S	2/1/07	<input type="checkbox"/> A RTC Qualifier is required if entering an Actual RTC Date.			
Notes:							
LINK CITATIONS TO ABOVE VIOLATION?				YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		If Yes, fill in information below	
Citation Type		Citation		Citation Type		Citation	
FR		265.174					
HANDLER SECTION (Fill out if RCRA Non-Notifier)							
Handler Name				Contact			
Street							
City				State	Zip Code		
County							
UNIVERSE CHANGE SECTION (Fill out if Universe Change Required)							
i. Indicate the Facility's current Universe(s):							
ii. Indicate the new RCRAInfo Generator Universe: Note: All TSD activity changes must be handled by the IOR and cannot be made using this form.				LQG <input type="checkbox"/> Non-Handler <input type="checkbox"/>		SQG <input type="checkbox"/> Closed <input type="checkbox"/>	
iii. Indicate the new transporter status: (Only fill out if the facility requires a transporter status change)				Transporter <input type="checkbox"/> If the transporter box is checked, you must check at least one mode of transportation below: <input type="checkbox"/> Air <input type="checkbox"/> Water <input type="checkbox"/> Rail <input type="checkbox"/> Other <input type="checkbox"/> Highway		Non-Transporter <input type="checkbox"/> Check non-transporter if the facility is currently listed in RCRAInfo as a transporter AND no longer transports hazardous waste.	

*Required Fields

HAZARDOUS WASTE INSPECTION REPORT

☒ GENERATOR☐ S Q GENERATOR

chacts id #: 1597609

Company name HART METALS INC.EPA I.D. Number PAD041744038

Employer I.D. Number (EIN) _____

Site Address 1415 E. BROAD ST. TAMARUA PACounty SchuylkillMunicipality TAMARUA BOROZip 18252Name of Inspector ROBERT LACZName & Title of Responsible Official RICKY MILLER, PLANT MANAGERPerson Interviewed DAVE RASCAVALETelephone (570) 668-0001

Mailing Address (if different from above) _____

Amount of Hazardous Waste Generated per Month: 22000 Pounds _____ Kgs

1. Site Characterization:

STORAGE: ☒ Container ☐ Tanks ☐ Containment Bldg. ☐ Drip Pad Other _____PBR: ☐ Neutralization/WWTP ☐ Reclaim Other _____GENERATOR TREATMENT ☐ Containers ☐ Tanks ☐ Containment Bldg. ☐ Drip Pad2. Universal Waste: ☐ Large Quantity Handler ☐ Small Quantity Handler

Universal Waste Types _____

3. Hazardous Waste Transporters:

Transporter Name ST. JOSEPH MOTORLINES License Number _____

Transporter Name _____ License Number _____

Transporter Name _____ License Number _____

4. Types of hazardous waste generated and destination facility (location & type).

Waste Code	Waste Description	Destination Facility
<u>001, 003</u>	<u>Waste Magnesium</u>	<u>VONROLL WTI</u> <u>PO BOX 37 GEORGETOWN, DE</u>



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT

HAZARDOUS WASTE INSPECTION REPORT GENERATORS -- SMALL QUANTITY GENERATORS

Site Name HART METALS INC. ID Number PA0041744038 Date 2/1/2007

1 - No Violation Observed 2 - Not Applicable 3 - Not Determined 4 - Non Compliance

STATUS

1	2	3	4	REQUIREMENT	PA CIT. 25 PA Code	FED. CIT. 40 CFR	LINE NO.
1				Hazardous waste determination performed on all waste streams	262a.10	262.11	H001
1				Identification Number	262a.10	262.12	H002
1				Authorized transporters only	262a.10	262.12(c)	H003
1				Subsequent notification requirements met	262a.12(b)		H004
1				Proper manifest used	262a.10	262.21	H005
1				Manifests filled out correctly and completely	262a.20		H006
1				Manifests signed and routed properly	262a.23(a)	262.23	H007
1				Generator waste accumulated on site for 90 days or less	262a.10	262.34(a)	H008
	2			SQG waste accumulated on site for 180 days max unless 200 mile distance rule applies - 270 days	262a.10	262.34(e)(f)	H009
	2			SQG waste accumulated on-site never exceeds 6000 kg	262a.10	262.34(e)(f)	H010
			4	Satellite accumulation requirements complied with	262a.10	262.34(c)	H011
			4	Personnel training program per 265.16 complied with	262a.10	262.34(a)(4) 262.34(d)	H012
1				Manifest exception and biennial reports retained for 3 years	262a.10	262.40(a)(b)	H013
1				Specified records retained for three years	262a.10	262.40(c)	H014
1				Biennial reports submitted to the Department (LQG only)	262a.41	262.41	H015
1				Exception reporting procedures followed	262a.42	262.42	H016
1				Spill reporting procedures followed	262a.43	262.34(d)	H017
1				PPC plan developed and implemented	262a.10	262.34(a)	H018
	2			Special requirements followed for international shipments	262a.10	262.50 262.60	H019
1				Source reduction strategy prepared and available (LQG only)	262a.100		H020
	2			Excluded waste complies with exclusionary requirements	261a.4	261.4	H021

Page 2 of 6

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT

HAZARDOUS WASTE INSPECTION REPORT
GENERATORS -- SMALL QUANTITY GENERATORS
FACILITY SPECIFICS

Site Name HART METALS INC ID Number PAP 041 744 038 Date 2/1/2007

1 - No Violation Observed 2 - Not Applicable 3 - Not Determined 4 - Non Compliance

STATUS

1	2	3	4	REQUIREMENT	PA CIT. 25 PA Code	FED CIT. 40 CFR	LINE NO.
				CONTAINERS (Subchapter I)			
			4	Containers managed in compliance with 40 CFR Part 265 Subpart I and 25 PA Code Chapter 265a Subchapter I	262a.10	262.34	H025
1				Containers of hazardous waste in good condition	265a.1	265.171	H026
1				Containers and stored waste compatible	265a.1	265.172	H027
1				Containers kept closed except during addition or removal of wastes	265a.1	265.173(a)	H028
1				Containers managed to prevent leaks	265a.1	265.173(b)	H029
1				Container configuration and spacing insures safe management and access for inspection purposes and emergency equipment	265a.173		H030
			4	Container storage areas inspected at least weekly	265a.1	265.174	H031
1				Special requirements for ignitable or reactive and incompatible waste complied with	265a.1	265.176-177	H032
1				Proper containment and collection systems in place	265a.179		H033
1				Air emission standards complied with (AA, BB, CC)	265a.1	265.178	H034
			4	Containers clearly marked with accumulation date and visible for inspection	262a.10	262.34(a)(2)	H035
			4	Containers labeled "Hazardous Waste"	262a.10	262.34(a)(3)	H036
			4	Containers labeled accurately identify contents	SWMA 6018.403(b) (2)		H037

Page 3 of 6

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

INSPECTION REPORT COMMENTSDate of Inspection 2/1/2007Identification Number PAD041744038Company/Facility/Site Name HART METALS INC.

A hazardous waste inspection was conducted with Dave Raccavage and Rick Miller of Hart Metals and Robert Luzzi of the PA. DEP.

Hart Metals is a manufacturer of atomized magnesium powders for military applications. During the manufacturing process, "scrubber oil" is produced which is a reactive waste due to magnesium content.

The following elements/items were observed/discussed:

90 day Storage Area: There were (15) fifteen drums located in the area at the time of inspection. Three (3) of the drums were not properly labeled.

Violations: 1) Containers were not managed in compliance with 40 CFR Part 265 Subpart I as incorporated by reference at § 265a Subchapter I of the Department's rules and regulations;

a) Containers not labeled as "Hazardous Waste" a violation of 40 CFR 262.34(a)(3) as incorporated by reference at § 262a.10 of the Department's rules and regulations

b) Containers were not clearly marked with accumulation date in violation of 40 CFR 262.34(a)(2) as incorporated by reference at § 262a.10 of the Department's rules & regulations

c) Containers were not labeled as to accurately identify contents in violation of § 6018-403(b)(2) of the Solid Waste Management

Act of the Commonwealth of Pa, Act of July 7, 1980, P.L. 380, No. 97, 35 P.S. § 6018-401 et seq., and the rules and regulations of the Department.

This inspection report is notice of the findings of an inspection conducted by a representative of the Department. This report is formal notification of any violations observed during the inspection. Additional notification of violations may be issued concerning either violations noted herein, or other violations identified as a result of review of laboratory analyses or Department records.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the persons interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person Interviewed _____

(Signature)

Date _____

Inspector _____

(Signature)

Date _____



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

INSPECTION REPORT COMMENTS

Date of Inspection 2/1/2007Identification Number PAD 041744038Company/Facility/Site Name HART METALS INC.

Satellite Accumulation Area: One (1) 55. gallon drum was observed at the time of inspection which was not labeled properly.

Violations: 1) Satellite accumulation requirements were not complied with in violation of 40 CFR 262.34(c) as incorporated by reference at § 262a.10 of the Department's rules and regulations.

a) Container was not marked with the words "Hazardous Waste" or with other words that identify the contents of the container in violation of 40 CFR 262.34(c)(ii) as incorporated by reference at § 262a.10 of the Department's rules and regulations.

2) The container was not marked with the date upon which each period of accumulation begins in violation of 40 CFR 262.34(a)(2) as incorporated by reference at § 262a.10 of the Dept's rules and regulations.

Records Review: The Department reviewed manifests, personnel training records, weekly inspection records, PPC plan and 2005 biennial report. The Department observed two (2) violations:

1) Hart Metals Inc. Failed to provide documentation of a personnel training program in violation of 40 CFR 262.34(a)(4) and 40 CFR 262.34(d) as incorporated by reference at § 262a.10 of the Department's rules and regulations.

This inspection report is notice of the findings of an inspection conducted by a representative of the Department. This report is formal notification of any violations observed during the inspection. Additional notification of violations may be issued concerning either violations noted herein, or other violations identified as a result of review of laboratory analyses or Department records.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the person interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person Interviewed _____

(Signature)

Date _____

Inspector _____

(Signature)

Date _____

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

INSPECTION REPORT COMMENTS

Date of Inspection 2/1/2007 Identification Number PA0641744038Company/Facility/Site Name Hart Metals Inc.Records Review cont'd:

- 2) Facility failed to provide records indicating that container storage areas are inspected at least weekly in violation of 40.CFR 265.174 as incorporated by reference at § 265a.1 of the Department's rules and regulations.

Comments:

Violations pertaining to proper labeling in the 90 day storage area and satellite accumulation area were noted and immediately corrected.

The Department recommends that Hart Metals Inc. implement a personnel training program and container storage area inspection log as soon as possible.

This completes this inspection report

This inspection report is notice of the findings of an inspection conducted by a representative of the Department. This report is formal notification of any violations observed during the inspection. Additional notification of violations may be issued concerning either violations noted herein, or other violations identified as a result of review of laboratory analyses or Department records.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the persons interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person Interviewed [Signature]

(Signature)

Date 2/1/07Inspector Robert J. [Signature]

(Signature)

Date 2/1/2007



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

Inspection Date 3-15-2000
Time Start 12:30 pm
Time Finish 3:30 pm

HAZARDOUS WASTE INSPECTION REPORT

☒ GENERATOR☐ S Q GENERATOR

Company name Hart Metals, Inc. I.D. Number PA-D041744038
Site Address Rt 209 North Tamague
County Schuylkill County Municipality Tamague Boro Zip 18352
Name of Inspector Bill Fisher
Name & Title of Responsible Official Edwin T. Brennan, Jr.
Person Interviewed Edwin T. Brennan, Jr. Telephone (570) 668-0801
Mailing Address (if different from above) _____
Amount of Hazardous Waste Generated per Month: _____ Pounds _____ Kgs

1. Site Characterization:

STORAGE: ☒ ^{Drum} Container ☐ Tanks ☐ Containment Bldg. ☐ Drip Pad Other _____

PBR: ☐ Neutralization/WWTP ☐ Reclaim Other _____

GENERATOR TREATMENT ☐ Containers ☐ Tanks ☐ Containment Bldg. ☐ Drip Pad

2. Universal Waste: ☐ Large Quantity Handler ☐ Small Quantity Handler

Universal Waste Types _____

3. Hazardous Waste Transporters:

Transporter Name Dart Trucking Company, Inc. License Number PA-AH 0219

Transporter Name Harwith Trucks, Inc. License Number PA-D 146714878

Transporter Name _____ License Number _____

4. Types of hazardous waste generated and destination facility (location & type).

Waste Code	Waste Description	Destination Facility
D pp1 / D pp3	Waste Magnesium Powder	WASTE Technology Industries east Liverpool, Ohio 45422 1250 St. George, P.O. Box 919

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

HAZARDOUS WASTE INSPECTION REPORT GENERATORS -- SMALL QUANTITY GENERATORS

Site Name Hart Metals Inc. ID Number PA D041744038 Date 3-15-88

1 - No Violation Observed 2 - Not Applicable 3 - Not Determined 4 - Non Compliance

STATUS

1	2	3	4	REQUIREMENT	PA CIT. 25 PA Code	FED. CIT. 40 CFR	LINE NO.
1				Hazardous waste determination performed on all waste streams	262a.10	262.11	H001
1				Identification Number	262a.10	262.12	H002
	3			Authorized transporters only	262a.10	262.12(c)	H003
1				Subsequent notification requirements met	262a.12(b)		H004
1				Proper manifest used	262a.10	262.21	H005
1				Manifests filled out correctly and completely	262a.20		H006
1				Manifests signed and routed properly	262a.23(a)	262.23	H007
1				Generator waste accumulated on site for 90 days or less	262a.10	262.34(a)	H008
2				SQG waste accumulated on site for 180 days max unless 200 mile distance rule applies - 270 days	262a.10	262.34(e)(f)	H009
2				SQG waste accumulated on-site never exceeds 6000 kg	262a.10	262.34(e)(f)	H010
1				Satellite accumulation requirements complied with	262a.10	262.34(c)	H011
1				Personnel training program per 265.16 complied with	262a.10	262.34(a)(4) 262.34(d)	H012
1				Manifest exception and biennial reports retained for 3 years	262a.10	262.40(a)(b)	H013
1				Specified records retained for three years	262a.10	262.40(c)	H014
	3			Biennial reports submitted to the Department (LQG only)	262a.41	262.41	H015
1				Exception reporting procedures followed	262a.42	262.42	H016
1				Spill reporting procedures followed	262a.10	262.34(d)	H017
1				PPC plan developed and implemented	262a.10	262.34(a)	H018
2				Special requirements followed for international shipments	262a.10	262.50 262.60	H019
	3			Source reduction strategy prepared and available (LQG only)	262a.100		H020
2				Excluded waste complies with exclusionary requirements	261a.4	261.4	H021

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

**HAZARDOUS WASTE INSPECTION REPORT
GENERATORS -- SMALL QUANTITY GENERATORS
FACILITY SPECIFICS**

Site Name Hart Metals, Inc. ID Number PA DC41744038 Date 3-15-00

1 - No Violation Observed 2 - Not Applicable 3 - Not Determined 4 - Non Compliance

STATUS

1	2	3	4	REQUIREMENT	PA CIT. 25 PA Code	FED CIT. 40 CFR	LINE NO.
				CONTAINERS (Subchapter I)			
1				Containers managed in compliance with 40 CFR Part 265 Subpart I and 25 PA Code Chapter 265a Subchapter I	262a.10	262.34	H025
1				Containers of hazardous waste in good condition	265a.1	265.171	H026
1				Containers and stored waste compatible	265a.1	265.172	H027
1				Containers kept closed except during addition or removal of wastes	265a.1	265.173(a)	H028
1				Containers managed to prevent leaks	265a.1	265.173(b)	H029
1				Container configuration and spacing insures safe management and access for inspection purposes and emergency equipment	265a.173		H030
		3		Container storage areas inspected at least weekly	265a.1	265.174	H031
1				Special requirements for ignitable or reactive and incompatible waste complied with	265a.1	265.176-177	H032
		3		Proper containment and collection systems in place	265a.179		H033
		3		Air emission standards complied with (AA, BB, CC)	265a.1	265.178	H034
1				Containers clearly marked with accumulation date and visible for inspection	262a.10	262.34(a)(2)	H035
1				Containers labeled "Hazardous Waste"	262a.10	262.34(a)(3)	H036
1				Containers labeled accurately identify contents	SWMA 6018.403(b) (2)		H037

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

HAZARDOUS WASTE INSPECTION REPORT GENERATORS -- SMALL QUANTITY GENERATORS FACILITY SPECIFICS

Site Name Hart Metals, Inc ID Number PAD04174403E Date 3-15-00

1 - No Violation Observed 2 - Not Applicable 3 - Not Determined 4 - Non Compliance

STATUS

1	2	3	4	REQUIREMENT	PA CIT. 25 PA CODE	FED CIT. 40 CFR	LINE NO.
				LQG TANKS (Subchapter J)			
	2			Tanks labeled "Hazardous Waste"	262a.10	262.34(a)(3)	H040
	2			Written certification by registered professional engineer for proper tank (system) design and installation on file	262a.10	265.192(a)	H041
	2			Secondary containment provided for tanks (systems) as required	265a.193	265.193	H042
	2			Tanks (systems) managed to prevent rupture, leak, corrode or fail	265a.1	265.194	H043
	2			Tanks labeled to accurately identify contents	265a.194		H044
	2			Required inspections completed and documented in operating log	265a.195	265.195	H045
	2			Release reported to Department within 24 hours, unless exempted	265a.1	265.196	H046
	2			Special requirements for ignitable and reactive wastes followed	265a.1	265.198	H047
	2			Special small quantity generator requirements	265a.1	265.201	H048
				SQG TANKS			
	2			Waste contents compatible with tank	265a.1	265.201(b)(2)	H051
	2			Uncovered tanks operated with 2 feet of freeboard or equivalent containment capacity	265a.1	265.201(b)(3)	H052
	2			If continuously fed, tank has method to stop inflow	265a.1	265.201(b)(4)	H053
	2			Daily tank inspection requirements complied with	265a.1	265.201(c)(1-3)	H054
	2			Weekly tank inspection requirements complied with	265a.1	265.201(c)(4,5)	H055
	2			All waste removed at closure	265a.1	265.201(d)	H056
	2			Special requirements for ignitable or reactive waste complied with	265a.1	265.201(e)(1)	H057
	2			Covered tank buffer zone requirements complied with	265a.1	265.201(e)(2)	H058
	2			Incompatible waste requirements met	265a.1	265.201(f)	H059

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

HAZARDOUS WASTE INSPECTION REPORT GENERATORS -- SMALL QUANTITY GENERATORS FACILITY SPECIFICS

Site Name Hart Metals Inc. ID Number AD041744038 Date 3-15-00

1 - No Violation Observed 2 - Not Applicable 3 - Not Determined 4 - Non Compliance

STATUS

1	2	3	4	REQUIREMENT	PA CIT. 25 PA CODE	FED CIT. 40 CFR	LINE NO.
				Containment Buildings (Subchapter T)			
	2			Building completely enclosed to prevent exposure to the elements	265a.1	265.1101(a)(1)	H061
	2			Meets special requirements if liquids present	265a.1	265.1101(b)	H062
	2			Primary barrier free of significant gaps, cracks and deterioration	265a.1	265.1101(c)(1)(i)	H063
	2			Level of hazardous waste within unit is below containment walls	265a.1	265.1101(c)(1)(ii)	H064
	2			Tracking of waste out of unit by equipment or personnel prevented	265a.1	265.1101(c)(1)(iii)	H065
	2			No visible dust emissions at doors, windows, vents, etc.	265a.1	265.1101(c)(1)(iv)	H066
	2			Professional engineer's certification placed in operating record	265a.1	265.1101(c)(2)	H067
	2			Required inspections performed and logged in operating record	265a.1	265.1101(c)(4)	H068
				Drip Pads (Subchapter S)			
	2			Engineer's certification of existing drip pads on file	265a.1	265.441(a)	H069
	2			Drip pad meets 265.443 design & operating standards	265a.1	265.443	H070:
	2			(a) nonearthen, sloped construction with berm to channel associated drippage to collection system	265a.1	265.443(a)	H071
	2			(b) Has synthetic liner below the pad with properly constructed leak detection system	265a.1	265.443(b)	H072
	2			Drip pads & collection system maintained to prevent deterioration	265a.1	265.443(c)	H073
	2			Drip pads & collection systems designed to prevent run-off	265a.1	265.443(d)	H074
	2			Run-on/run-off control system maintained unless pad protected by a structure	265a.1	265.443(e)	H075
	2			Release reporting requirements met	265a.1	265.443(m)	H076
	2			Drip pads inspected weekly and after storms when in operation	265a.1	265.444(b)	H077

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

INSPECTION REPORT COMMENTS

Date of Inspection 3-15-2000Identification Number PAD 041744038Company/Facility/Site Name Hart Metals, Inc.

Inspection was conducted by Bill Fehen and Chuck Rogers (both from Northeast Regional office) and Edwin T. Brennan (Plant Manager at Hart Metals) and Ken Osenbach (Plant Superintendent).

Reviewed manifest from 1999-2000, PPC plan, training plan, employee records for training, and their Environmental Management System Manual (EMS). Items to be addressed are the following:

- 1) Biennial report for 1999 has not yet been completed by the facility; please complete within 15 days (MARCH 30, 2000) in accordance with 40 CFR 262.41
- 2) Storage containment area with secondary containment needs to be constructed prior to the storage of hazardous waste in accordance with 40 CFR 265.174
- 3) EPA notification form (8700-12) should be completed and submitted, if not already done, showing new ownership status and generator status (LQG).
- 4) A source reduction strategy plan for the facility needs to be updated and modified to show current waste generation practices. Please develop a current SRS and submit within 60 days for review. 25 Pa Code 262a.100

Hart Metals recently went through a change of ownership and a change of management staff. Products produced are magnesium chips and powders used for industrial purposes and military applications. A follow-up inspection in the future will be conducted to address the 4 issues written above.

This inspection report is notice of the findings of an inspection conducted by a representative of the Department. This report is formal notification of any violations observed during the inspection. Additional notification of violations may be issued concerning either violations noted herein, or other violations identified as a result of review of laboratory analyses or Department records.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the person interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person interviewed (signature) Edwin T. Brennan, Jr.Date 3-15-2000Inspector (signature) William L. L.Date 3-15-2000

to N8

STATUS CHANGE OR DEACTIVATE - CALL

N8

L LQG-NEVER-NON-HZ
OMB#: 2050-0024 Expires 9/30/92

2

BEFORE COPYING FORM, ATTACH SITE IDENTIFICATION LABEL
OR ENTER:SITE NAME Hart Metals, Inc.Route 209 N, Tamaqua, PA
18252EPA ID NO. PA 041744038U.S. ENVIRONMENTAL
PROTECTION AGENCY

1991 Hazardous Waste Report

FORM
ICIDENTIFICATION AND
CERTIFICATION

APR - 6 1992

INSTRUCTIONS: Read the detailed instructions beginning on page 6 of the 1991 Hazardous Waste Report booklet before completing this form.

SEC. I Site name and location address. Complete items A through H. Check the box ☒ in items A, C, E, F, G, and H if same as label; if different, enter corrections. If label is absent, enter information. Instruction page 6

A. EPA ID No.

Same as label ☒ or

B. County

Schuylkill

C. Site/company name

Same as label ☒ or

D. Has the site name associated with this EPA ID changed since 1989?

☐ 1 Yes
☒ 2 No

E. Street name and number. If not applicable, enter industrial park, building name or other physical location description.

Same as label ☒
or

F. City, town, village, etc.

Same as label ☒
or

G. State

Same as label ☒
PA

H. Zip Code

Same as label ☒
18252

SEC. II Mailing address of site. Instruction page 6

A. Is the mailing address the same as the location address?

☒ 1 Yes (SKIP TO SEC. III)
☒ 2 No (GO TO BOX B)

B. Number and street name of mailing address

Route 209 N., Box 428

C. City, town, village, etc.

Tamaqua

D. State

PA

E. Zip Code

18252

SEC. III Name, title, and telephone number of the person who should be contacted if questions arise regarding this report. Instruction page 6

A. Please print: Last name

Miller

First name

Ricky

M.I.

K.

B. Title

Metallurgical
Engineer

C. Telephone

717 668 - 0001
Extension

SEC. IV Enter the Standard Industrial Classification (SIC) Code that describes the principal products, group of products, produced or distributed, or the services rendered at the site's physical location. Enter more than one SIC Code only if no one industry description includes the combined activities of the site. Instruction page 7

A.

3339

B.

NA

C.

NA

D.

NA

SEC. V

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties under Section 3008 of the Resource Conservation and Recovery Act for submitting false information, including the possibility of fine and imprisonment for knowing violations."

A. Please print: Last name

Hart

First name

John

M.I.

H.

B. Title

Vice-President of Administr.

C. Signature

D. Date of signature

04 02 92
MO. DAY YR.

Page 1 of 2

BAA 10/12/94

Sec. VI - Generator Status

EPA ID NO.

P A D 041744038

A. 1991 RCRA generator status

Instruction page 7

(CHECK ONE BOX BELOW)

- ☐ 1 LQG
☐ 2 SOG (SKIP TO SEC. VII)
☐ 3 CESQG
☒ 4 Non generator (CONTINUE TO BOX B)

B. Reason for not generating

Page 9

(CHECK ALL THAT APPLY)

- ☒ 1 Never generated
☐ 2 Out of business
☐ 3 Only excluded or delisted waste
☒ 4 Only non-hazardous waste
☐ 5 Periodic or occasional generator
☐ 6 Waste minimization activity
☐ 7 Other (SPECIFY COMMENTS IN BOX BELOW)

Sec. VII - On-Site Waste Management Status

A. RCRA permitted or interim status storage

Instruction page 10

1

B. RCRA permitted or interim status treatment, disposal, or recycling

Page 10

1

C. RCRA-exempt treatment, disposal, or recycling

Page 11

1

Sec. VIII - Waste Minimization Activity during 1990 or 1991

A. Did this site begin or expand a source reduction activity during 1990 or 1991?

Instruction page 11

- ☐ 1 Yes
☒ 2 No

B. Did this site begin or expand a recycling activity during 1990 or 1991?

Page 12

- ☐ 1 Yes
☒ 2 No

C. Did this site systematically investigate opportunities for source reduction or recycling during 1990 or 1991?

Page 12

- ☐ 1 Yes
☒ 2 No

D. Did any of the factors listed below delay or limit this site's ability to initiate new or additional source reduction activities in 1990 or 1991?

Page 12

(CHECK YES OR NO FOR EACH ITEM)

- | Yes | No | |
|----------------------------|---------------------------------------|--|
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | a. Insufficient capital to install new source reduction equipment or implement new source reduction practices |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | b. Lack of technical information on source reduction techniques applicable to the specific production processes |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | c. Source reduction is not economically feasible: cost savings in waste management or production will not recover the capital investment |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | d. Concern that product quality may decline as a result of source reduction |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | e. Technical limitations of the production processes |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | f. Permitting burdens |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | g. Source reduction previously implemented - additional reduction does not appear to be technically feasible |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | h. Source reduction previously implemented - additional reduction does not appear to be economically feasible |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | i. Source reduction previously implemented - additional reduction does not appear to be feasible due to permitting requirements |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | j. Other (SPECIFY COMMENTS IN BOX BELOW) |

E. Did any of the factors listed below delay or limit this site's ability to initiate new or additional on-site or off-site recycling activities during 1990 or 1991?

Page 12

(CHECK YES OR NO FOR EACH ITEM)

- | Yes | No | | Yes | No | |
|----------------------------|---------------------------------------|---|----------------------------|---------------------------------------|--|
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | a. Insufficient capital to install new recycling equipment or implement new recycling practice | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | h. Technical limitations of production processes inhibit on-site recycling |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | b. Lack of technical information on recycling techniques applicable to this site's specific production processes | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | i. Permitting burdens inhibit recycling |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | c. Recycling is not economically feasible: cost savings in waste management or production will not recover the capital investment | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | j. Lack of permitted off-site recycling facilities |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | d. Concern that product quality may decline as a result of recycling | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | k. Unable to identify a market for recyclable materials |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | e. Requirements to manifest wastes inhibit shipments off site for recycling | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | l. Recycling previously implemented - additional recycling does not appear to be technically feasible |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | f. Financial liability provisions inhibit shipments off site for recycling | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | m. Recycling previously implemented - additional recycling does not appear to be economically feasible |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | g. Technical limitations of production processes inhibit shipments off site for recycling | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | n. Recycling previously implemented - additional recycling does not appear to be feasible due to permitting requirements |
| | | | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | o. Other (SPECIFY COMMENTS IN BOX BELOW) |

Comments:

GEN

Waste Management Program
Northeast Regional Office
90 East Union Street - 2nd Floor
Wilkes-Barre, PA 18701-3296
(717) 826-2516

September 20, 1993

CERTIFIED MAIL NO. P 284 141 740

Hart Metals, Inc.
P.O. Box 428
Tamaqua, PA 18252

Attn: Mr. Robert Hart

RE: Hart Metals, Inc.
PAD#041744288
Tamaqua Borough, Schuylkill County

Dear Mr. Hart:

Enclosed is a Consent Assessment of Civil Penalty regarding violations of 25 Pa. Code §261.1 et seq. and the Solid Waste Management Act as revealed in the Department's inspection of the above referenced facility on June 23, 1993.

To avoid litigation in this matter, the Department is willing to enter into an agreement by accepting a civil penalty in the amount of one thousand (\$1,000) dollars. The terms of the Consent Assessment of Civil Penalty are included in the document. If this settlement proposal is acceptable, please have both copies of this agreement signed by two (2) corporate officers and an attorney representing Hart Metals, Inc. and returned to our office at the letterhead address by October 20, 1993, along with the Solid Waste Abatement Fund payment. We will then execute the agreement on behalf of the Department and return an executed original to you for your records.

Please be advised that after October 20, 1993, this settlement proposal will become void and we will pursue other enforcement alternatives. If you have any questions, please contact me at (717) 826-2516.

Very truly yours,

Jerome J. Lehman
Monitoring & Compliance Manager

Enclosure

JJL:EDF:kab

cc: Enforcement File thru W. McDonnell
E. Shoener thru M. Carmon
Division of Hazardous Waste
U. S. EPA Region III
J. Lehman

R. Ducceschi
Solid Waste Specialist thru C. Gitschier
E. Fraley

CPT: 3-9540, D & T: 9/8/93, R: 9/14/93

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
Waste Management Program
90 East Union Street - 2nd Floor
Wilkes-Barre, PA 18701-3296

In the Matter of:

Hart Metals, Inc. :
PAD#041744308 *038* : Solid Waste Management Act
Tamaqua Borough, Schuylkill County :

CONSENT ASSESSMENT OF CIVIL PENALTY

NOW, this day of , 1993, the Commonwealth of Pennsylvania,
Department of Environmental Resources ("Department") has determined the
following findings of fact:

A. The Department is the executive agency of the Commonwealth with the
duty and authority to administer and enforce The Solid Waste Management Act, Act
of July 7, 1980, P.L. 380, as amended, ("Solid Waste Act"), 35 P.S. §6018.101 et
seq. and the Rules and Regulations of the Environmental Quality Board adopted
thereunder.

B. Hart Metals, Inc. (hereinafter "Hart") is a hazardous waste generator
and maintains a business address of P.O. Box 428, Tamaqua, PA 18252.

C. The Department determined and Hart agrees that Hart caused or allowed
the following violations on June 23, 1993:

1. Refusal of entry and inspection to an employee of the Department in the course of performance of his duties, in violation of Section 610(7) of the Solid Waste Act, 35 P.S. §6018.610(7).

D. On June 29, 1993, the Department issued to Hart, a Notice of Violation for those violations listed in Paragraph C above.

E. The violations described in Paragraph C above constitute Unlawful Conduct and a public nuisance pursuant to Sections 610 and 601 of the Solid Waste Act, 35 P.S. §§6018.610 and 6018.601.

F. Section 605 of the Solid Waste Act, supra, 35 P.S. §6018.605 provides that the Department may assess a civil penalty of up to TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) per day for each violation of the Solid Waste Act.

G. After complete negotiations in this matter between the parties hereto, the Department and Hart agree to a settlement of the Department's claims for civil penalties for the violations identified in Paragraphs C and E herein as follows:

1. Pursuant to the Department's authority under Section 605 of the Solid Waste Act, supra, 35 P.S. §6018.605, a Civil Penalty in the amount of one thousand (\$1,000) dollars is hereby assessed against and agreed to by Hart. Payment of this Civil Penalty shall be made as follows: By October 20, 1993, Hart shall submit a certified check or the like made payable to the "Commonwealth of Pennsylvania, Solid Waste Abatement Fund", and forwarded to the Department of Environmental Resources, Waste Management Program, 90 East Union Street - 2nd Floor Wilkes-Barre, PA 18701-3296, Attention: Waste Management Program Manager.
2. Hart hereby consents to this Civil Penalty Assessment issued

pursuant to Section 605 of the Solid Waste Act, supra, 35 P.S. §6018.605 and waives its right to appeal from this Assessment which rights are available pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514 and the Administrative Agency Law, the Act of June 4, 1945, P.L. 1388, as amended, 2 Pa. C.S. §103(a) and Chapters 5A and 7A.

H. By entering into this Consent Assessment of Civil Penalty, the Department only waives its right to bring an action for civil penalties for the specific violations set forth in Paragraphs C and E herein for the dates set forth therein. Nothing herein shall be construed to imply that the Department waives any other rights which it may have concerning said violations or relieves Hart from any future liability for environmental damages resulting from the activities described herein.

IN WITNESS WHEREOF, the parties hereto have caused this Consent Assessment of Civil Penalty to be executed by their duly authorized representatives. The undersigned representatives of Hart certify under penalty of law, as provided by 18 Pa. C.S. §4904, that they are authorized to execute this Consent Assessment of Civil Penalty on behalf of Hart; that Hart consents to the entry of the Consent Assessment of Civil Penalty; and that Hart hereby knowingly waives any right to a hearing prior to the assessment of a civil penalty and its right to appeal this Consent Assessment of Civil Penalty, which right may be available under Section 4 of the Environmental Hearing Board Act, the Act of July 13, 1988, P.L. 530, No. 1988-94, 35 P.S. §7514; the Administrative Agency Law, 2 Pa. C.S. §103(a); and Chapters 5A and 7A, or any other provision of law.

FOR HART METALS, INC.:

Name Date

Title

Name Date

Title

Attorney for Hart Metals, Inc.

FOR THE
DEPARTMENT OF ENVIRONMENTAL RESOURCES:

William F. McDonnell Date
Program Manager
Waste Management Program

APPROVED AS TO FORM AND LEGALITY:

Attorney for the Commonwealth Date

Handler ID Number		Handler Type			
PA: D: 04: 1744: 038		LDF[] TSF[] INC[] LQG[] SQG[X] CEG[] TRA[]			
Handler Name	Contact Name		Date Submitted		
Hart Metals, Inc.			<div> <div></div> <div></div> <div></div> </div>		
Street	City				
PO. Box 428		Tamaqua, PA 18252			

EVALUATION										Add	Change	Delete
Date			Number		Agency	Type	Reason	Branch	Person			
:	:	:	:	:		:	:					

AREAS OF EVALUATION (E - Evaluated NE - Not Evaluated NA - Not Applicable)															
GER	<input type="checkbox"/>	GPT	<input type="checkbox"/>	GBF	<input type="checkbox"/>	TWD	<input type="checkbox"/>	DGS	<input type="checkbox"/>	DLT	<input type="checkbox"/>	DPB	<input type="checkbox"/>	DWP	<input type="checkbox"/>
GGR	<input type="checkbox"/>	GRR	<input type="checkbox"/>	TGR	<input type="checkbox"/>	DCH	<input type="checkbox"/>	DGW	<input type="checkbox"/>	DMC	<input type="checkbox"/>	DPP	<input type="checkbox"/>	DBF	<input type="checkbox"/>
GLB	<input type="checkbox"/>	GSC	<input type="checkbox"/>	TMR	<input type="checkbox"/>	DCL	<input type="checkbox"/>	DIN	<input type="checkbox"/>	DMR	<input type="checkbox"/>	DSI	<input type="checkbox"/>	CAS	<input type="checkbox"/>
GMR	<input type="checkbox"/>	GSQ	<input type="checkbox"/>	TOR	<input type="checkbox"/>	DCP	<input type="checkbox"/>	DLB	<input type="checkbox"/>	DOR	<input type="checkbox"/>	DTR	<input type="checkbox"/>	FEA	<input type="checkbox"/>
GOR	<input type="checkbox"/>	GEX	<input type="checkbox"/>	TRR	<input type="checkbox"/>	DFR	<input type="checkbox"/>	DLF	<input type="checkbox"/>	DOT	<input type="checkbox"/>	DTT	<input type="checkbox"/>	CSS	<input type="checkbox"/>

Comments _____

[illegible]

VIOLATION										Add	Change	Delete	Link to Above Evaluation? (Y/N)																
Agency	Number			Area		Class	Regulation Type			Regulation Citation																			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>																			
Date Determined				Priority	Branch	Person				Returned to Compliance Scheduled					Actual														
<input type="text"/>				<input type="text"/>	<input type="text"/>	<input type="text"/>				<input type="text"/>					<input type="text"/>														
Comments															<input type="text"/>														

VIOLATION										Add	Change	Delete	Link to Above Evaluation? (Y/N)									
Agency	Number			Area		Class	Regulation Type			Regulation Citation												
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Date Determined				Priority	Branch	Person				Returned to Compliance Scheduled				Actual								
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Comments																						

☐ Required ☐ Required if pertinent ☐ Required only for previously reported data ☐ Not Required by EPA

Handler ID Number		Handler Name	
PADO41744038		Fast Metals, Inc	
VIOLATION		Add	Change
		Delete	Link to Above Evaluation? (Y/N)
Agency	Number	Area	Class
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Date Determined		Priority	Branch
<input type="text"/>		<input type="text"/>	<input type="text"/>
Person		Returned to Compliance	
<input type="text"/>		Scheduled	Actual
<input type="text"/>		<input type="text"/>	<input type="text"/>
Comments			

VIOLATION		Add	Change
		Delete	Link to Above Evaluation? (Y/N)
Agency	Number	Area	Class
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Date Determined		Priority	Branch
<input type="text"/>		<input type="text"/>	<input type="text"/>
Person		Returned to Compliance	
<input type="text"/>		Scheduled	Actual
<input type="text"/>		<input type="text"/>	<input type="text"/>
Comments			

VIOLATION		Add	Change
		Delete	Link to Above Evaluation? (Y/N)
Agency	Number	Area	Class
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Date Determined		Priority	Branch
<input type="text"/>		<input type="text"/>	<input type="text"/>
Person		Returned to Compliance	
<input type="text"/>		Scheduled	Actual
<input type="text"/>		<input type="text"/>	<input type="text"/>
Comments			

ENFORCEMENT		Add	Change
		Delete	Link to Above Evaluation? (Y/N)
Date	Number	Agency	Type
10/20/93	<input type="text"/>	S	610
Branch		Person	Attorney Initials
<input type="text"/>		P.A.S.S.L.	<input type="text"/>
Penalty Assessed \$		Settled \$	
<input type="text"/>		<input type="text"/>	

POLLUTION PREVENTION ENFORCEMENT COMPONENTS COVERED BY THIS ACTION

PPE - Pollution Prevention <input type="checkbox"/>	EAE - Environmental Auditing <input type="checkbox"/>
PRE - Pollution Reduction <input type="checkbox"/>	EPE - Environmental Public Awareness <input type="checkbox"/>
ERE - Environmental Restoration <input type="checkbox"/>	

VIOLATIONS COVERED BY ABOVE ENFORCEMENT ACTION

Agency	Number	Area	Date Determined	Agency	Number	Area	Date Determined
S	0001	66R	06/23/93	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

PENALTY PAYMENTS

Date	Amount	Date	Amount
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Comments			

GEN

Waste Management Program
Northeast Regional Office
90 East Union Street - 2nd Floor
Wilkes-Barre, PA 18701-3296
(717) 826-2516

June 29, 1993

CERTIFIED MAIL NO. P 125 394 139

NOTICE OF VIOLATION

Hart Halls, Inc.
P.O. Box 423
Tartagun, PA 18252

RE: June 27, 1993 Inspection
PAD#041744039
Tartagun Borough, Schuylkill County

Gentlemen:

This notice of violation is to confirm the findings of the Department's referenced inspection of your hazardous waste activities. Requirements for hazardous waste facilities are contained in Act 97 and Chapters 260.2 through 269.163 of the Rules and Regulations of the Department. Violations of applicable sections of these regulations found during the inspection are as follows:

1. Refusal of entry and inspection to an employee of the Department in the course of performance of his duties, in violation of Section 610(7) of the Solid Waste Act, 35 P.S. 56010.610(7).

This notice of violation does not waive, either expressly or by implication, the power or authority of the Commonwealth of Pennsylvania to prosecute for any and all violations of law arising prior to or after the issuance of this notice of violation or the conditions upon which the notice of violation is based. This notice of violation shall not be construed so as to waive or impair any rights of the Department of Environmental Resources, heretofore or hereafter existing.

This notice of violation shall also not be construed as a final action of the Department of Environmental Resources.

Hart Metals, Inc.

-2-

June 29, 1993

If you have any questions concerning this notice of violation, feel free to contact me at my office.

Sincerely,

Earl D. Fraley
Environmental Protection
Compliance Specialist

EDF:RD:kab

cc: Enforcement File thru W. McDonnell
Division of Hazardous Waste
E. Shoener thru M. Carmon
U.S. EPA Region III
E. Fraley
R. Dalton thru J. Lehman
C. Gitschier
R. Ducceschi

CPT: 3-9209
D & T: 6/29/93
R: 6/29/93

Pennsylvania Department of Environmental Resources
Bureau of Waste Management

Hazardous Waste Inspection Report Land Disposal Restriction Supplemental Checklist

1-No Violation Observed					2-Not Applicable	3-Not Determined	4-Non-Compliance
Status					REQUIREMENT <i>NOT DETERMINED</i>		Citation
1	2	3	4	40 CFR Part 268			
					Generators		
					Notification sent with shipments of wastes that do not meet treatment standards.		7(a)(1)
					Notification and certification sent with shipments of wastes meeting treatment standards.		7(a)(2)
					Dilution not used as a substitute for treatment.		3
					Records maintained of notifications, certifications, waste analysis, and documentation supporting use of knowledge for waste classification.		7(a)(5), (a)(6)
					Storage Facilities		
					Facility verifies generators classification of waste in accordance with waste analysis plan.		25 Pa Code 265.13(c)
					Containers marked to identify contents and accumulation date.		50(a)(2)
					Notification sent with shipments of wastes that do not meet treatment standards.		7(a)(1)
					Notification and certification sent with shipments of wastes meeting treatment standards.		7(a)(2)
					Facility maintains records of documents produced pursuant to LDR requirements.		7(a)(6)
					Treatment Facilities, including PBR and RRR Facilities		
					Dilution not used as a substitute for treatment.		3
					Facility tests wastes or treatment residues to determine compliance with applicable treatment standards in accordance with waste analysis plan.		7(b)
					Certification and/or notification sent with shipments of waste.		7(b)(4), (b)(5), (b)(6)
					Land Disposal Facilities		
					Facility tests wastes received to assure compliance with applicable treatment standards.		7(c)(2)
					Facility land disposes of restricted waste only if it meets applicable treatment standard.		40
					Facility retains copies of generator notifications and certifications.		7(c)(1)

Hazardous Waste Inspection Report
Comments - Part C

Date of Inspection 6/23/93 Identification Number PAP 041744038
Company, Installation Name HART METALS INC
County SCHUYLKILL Municipality JAMBUA PA

SPOKE WITH JOHN HART WHO ADVISED ME THAT I HAD PICKED A BAD DAY. HE STATED THAT NO ONE WHO WAS FAMILIAR WITH THE WASTE MANAGEMENT SITUATION WAS PRESENT. I STATED THAT I COULD RETURN ANOTHER DAY TO DO THE PAPERWORK REVIEW BUT ASKED IF I COULD INSPECT THE SITE PHYSICALLY. MR. HART STATED THAT HE COULD NOT ALLOW THAT AND THAT IF SHOULD RETURN ANOTHER DAY. I EXPLAINED TO HIM (MR. HART) THAT WE ARE REQUIRED TO DO UNANNOUNCED INSPECTIONS. I THEN LEFT THE FACILITY.

IT SHALL BE A
VIOLATION: ACT 97 SECTION 610.(7) REFUSE, HINDER, OBSTRUCT, OR CAUSE OR THREATEN ANY AGENT OR EMPLOYEE OF THE DEPARTMENT IN THE COURSE OF PERFORMANCE OF ANY DUTY UNDER THIS ACT, INCLUDING, BUT NOT LIMITED TO, ENTRY AND INSPECTION UNDER ANY CIRCUMSTANCES

This inspection report is official notification that a representative of the Department of Environmental Resources, Bureau of Waste Management, inspected the above installation. The findings of this inspection are shown in this report. Any violations which were uncovered during the inspection are indicated. Violations may also be discovered upon examination of the results of laboratory analyses and review of Department records. Notification will be forthcoming, confirming any violations indicated herein and listing any additional violations.

Person Interviewed (signature) _____ Date _____
Inspector (signature) Richard Nathan Date 6/23/93

Hazardous Waste Inspection Report Generators - Part B

1—No Violation Observed				2—Not Applicable	3—Not Determined	4—Non-Compliance
Status				REQUIREMENT		Chapter Citation
1	2	3	4			75.262
		3		Hazardous waste determination, copies available		(b)
1		3		Identification number		(c)(1)
		3		Hazardous waste shipments offered only to licensed transporters		(c)(4)
		3		Authorization received from TSD facility for wastes shipped off-site		(d)
		3		PA manifest used for intrastate shipments		(e)(2)
		3		Disposer state manifest or EPA format manifest used for out-of-state shipments		(e)(3)
		3		Manifests filled out properly and completely		(e)(7)
		3		Manifests routed properly and within time limits (7 days)		(e)(14) or (15)
		3		Proper U.S. DOT shipping containers or packages		(f)(1)(i)
		3		Shipping containers marked and labeled according to U.S. DOT		(f)(1)(ii)
		3		Containers of 110 gal. or less marked with required PA label		(f)(1)(iii)
		3		Placards offered to transporter		(f)(2)
		3		Wastes accumulated on-site for less than 90 days		(g)(1)(i)
		3		Wastes stored in proper containers and properly marked and labeled		(g)(1)(ii)
		3		Containers managed in accordance with 75.265(q)(1)–(9)		(g)(1)(iii)
		3		Containers clearly marked with accumulation date and visible for inspection		(g)(1)(iv)
		3		Records retained at designated location for 20 years		(h)
		3		Quarterly reports submitted to the Department		(i)
		3		Exception reporting procedures followed		(j)
		3		Hazardous waste disposal plan, if required		(l)
		3		Spill reporting procedures followed		(m)(1)
		3		Preparedness, Prevention and Contingency Plan and implemented		(m)(5)
		3		Special requirements followed for international shipments		(o)
		3		On the job or classroom personnel training program (75.265(f))		(g)(1)(6)
		3		Drum accumulation area inspected weekly as per 75.265(q)(5)		(g)(1)(iii)

Hazardous Waste Inspection Report Generators – Part A

Date of inspection 6/23/03 Time start _____ Time finish _____

Name of inspector RICK DALTON

Company, installation name HART METALS INC

Location RT 209

County SETHUY KILL Municipality TAMAUHA ARO

Identification number PA0041744038

Name of responsible official ROBERT F. HART

Title PRESIDENT

Mailing address PO BOX 42884 TAMPA FL 33642

Area code and telephone number 717-668-0001

Name of person interviewed JOHN HART

Title _____

Mailing address (if different from above) _____

Area code and telephone number _____

- 1. Current waste handling method:

- a. ☐ On-site ☐ treatment, ☐ storage, ☐ disposal ☐ PBR
- b. ☐ On-site ☐ use, ☐ reuse, ☐ recycle, ☐ reclaim
- c. ☐ Off-site ☐ treatment, ☐ storage, ☐ disposal
- d. ☐ Off-site ☐ use, ☐ reuse, ☐ recycle, ☐ reclaim

2. Amount of hazardous waste produced: *NOT DETERMINED*

- a. _____ kg./mo.
b. _____ kg./yr.

[illegible]

Waste Number	Destination Facility	Location and Type
NOT DETERMINED		

ER-WM-119: 9/88

**Commonwealth of Pennsylvania
Department of Environmental Resources
Bureau of Waste Management**

Inspection Report/Data Entry

Site I.D. # PA0041744038

Telephone # 717-668-0001

Site Name HART METALS INC

Operator Name

Address Po Box 428

Address

TAMAQUA PA. 18252

Municipality TAMAQAT BORO

County Saukville

Responsible Official ROBERT HART

Title PRELIMINARY

Person Interviewed JOHN HART

Title

Inspector Rick DACTON

Time

Date**Inspection Date**

**Inspection
Type**

Facility
Type

Inspector I.D. #

Violation

--	--	--	--	--	--	--

062393

| 0 | i

~~06-240~~

2217

1001

NOT DETERMINED

Comment

Sample # Low

Sample # High

Monitoring Points Sampled

INSPECTION TYPE

- | | |
|--------------------|--------------------|
| 01 Routine | 10 Survey |
| 02 Spill Response | 11 Part B |
| 03 Remedial Action | 12 Complaint |
| 04 Follow Up | 13 Withdrawn |
| 05 Crit Stage | 14 Closure |
| 06 Sample Only | 15 Post Closure |
| 07 Permitting | 16 Form 4 |
| 08 Superfund | 17 Form 4 w/sample |
| 09 Ground Water | 50 Record Rev |
| | 99 Other |

FACILITY TYPE**Municipal**

- 01 Municipal Waste Landfill
02 Construction/Demolition
Landfill
03 Processing
04 Incinerator
05 Surface Application

Residual

- 06 Landfill
07 Demolition
08 Processing
09 Incinerator
10 Surface Application
11 Surface Impoundment
12 Surface Injection Well

Hazardous

- 01 Disposal
02 Treatment
03 Storage
04 Transporter
05 Permit by Rule
06 Generator
07 SQG
08 RRR
09 Other
50 Superfund



**ACKNOWLEDGEMENT OF NOTIFICATION
OF HAZARDOUS WASTE ACTIVITY
(VERIFICATION)**

This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

EPA I.D. NUMBER

PAD 04 174 4038

INSTALLATION ADDRESS

Robert Hart, Pres
Hart Metals Inc
P.O. Box 428
Tamaqua, PA 18252

Rte 209 N
Tamaqua, PA 18252

Pennsylvania Department of Environmental Resources
BUREAU OF SOLID WASTE MANAGEMENT
NOTIFICATION OF HAZARDOUS WASTE ACTIVITY

ER-SWM-53: Rev. 3/82

I. INSTALLATION'S EPA I.D. NUMBER									
PAD041744038									
II. NAME OF INSTALLATION									
HART Metals Inc.									
III. INSTALLATION MAILING ADDRESS									
STREET OR P. O. BOX									
P.O. Box 428									
CITY OR TOWN							ST.	ZIP CODE	
TAMAQUA							PA	18252	
IV. LOCATION OF INSTALLATION									
STREET OR ROUTE NUMBER							MUNICIPALITY		
Route 209 NORTH							BOROUGH of TAMAQUA		
CITY OR TOWN					ST.	ZIP CODE		COUNTY	
TAMAQUA					PA	18252		Schuylkill	
V. INSTALLATION CONTACT									
NAME AND TITLE (last, first, & job title)								PHONE NO. (area code & no.)	
HART, ROBERT J., PRESIDENT								717 668 0001	
VI. OWNERSHIP									
A. NAME OF INSTALLATION'S LEGAL OWNER									
HART METALS INC.									
B. TYPE OF OWNERSHIP									
(enter the appropriate letter into box)									
F - FEDERAL M - NON-FEDERAL									
M									
VII. SIC CODES (4-digit in order of priority)									
A. FIRST					C. THIRD				
2819 (specify) Inorganic Industrial Chemicals					(specify)				
B. SECOND					D. FOURTH				
(specify)					(specify)				
VIII. TYPE OF HAZARDOUS WASTE ACTIVITY									
<input checked="" type="checkbox"/> A. GENERATION <input type="checkbox"/> C. STORE <input type="checkbox"/> E. TRANSPORTATION (COMPLETE ITEM IX) <input checked="" type="checkbox"/> G. REUSE, RECYCLE, RECLAIM									
<input type="checkbox"/> B. TREAT <input type="checkbox"/> D. DISPOSE <input type="checkbox"/> F. PERMIT BY RULE <input type="checkbox"/> H. OTHER (specify):									
IX. MODE OF TRANSPORTATION (transporters only)									
<input type="checkbox"/> A. AIR <input type="checkbox"/> B. RAIL <input type="checkbox"/> C. HIGHWAY <input type="checkbox"/> D. WATER <input type="checkbox"/> E. OTHER (specify):									
X. EXISTING ENVIRONMENTAL PROGRAM PERMITS									
A. NPDES (Discharges to Surface Water)					D. PSD (Air Emissions from Proposed Sources)				
B. UIC (Underground Injection of Fluids)					E. SOLID WASTE				
C. RCRA (Hazardous Wastes)					F. OTHER (specify)				
					54-309-003 MAGNESIUM GRINDING & OPERATION				
XI. TYPE OF NOTIFICATION									
Mark "X" in appropriate box to indicate whether this is your installation's first notification of hazardous waste activity, or notification of a change of general information, hazardous waste handled, or hazardous waste activity. If you check B, C, D, E, or F, attach a letter of explanation (SEE INSTRUCTIONS).									
<input checked="" type="checkbox"/> A. FIRST NOTIFICATION <input type="checkbox"/> C. DELETION OF A WASTE <input type="checkbox"/> E. DELETION OF AN ACTIVITY									
<input type="checkbox"/> B. CHANGE OF GENERAL INFORMATION <input type="checkbox"/> D. ADDITION OF A WASTE <input type="checkbox"/> F. ADDITION OF AN ACTIVITY									

CONTINUE ON REVERSE

LEB 531004

XII DESCRIPTION OF HAZARDOUS WASTES (Continued from front)

A. HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES. Enter the four-digit number from §75.261(h)(2) for each listed hazardous waste from non-specific sources your installation handles. Use additional sheets if necessary.

1	2	3	4	5	6
7	8	9	10	11	12

B. HAZARDOUS WASTES FROM SPECIFIC SOURCES. Enter the four-digit number from §75.261(h)(3) each listed hazardous waste from specific industrial sources your installation handles. Use additional sheets if necessary.

13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30

C. COMMERCIAL CHEMICAL PRODUCT HAZARDOUS WASTES. Enter the four-digit number from §75.261(h)(4) for each chemical substance your installation handles which may be a hazardous waste. Use additional sheets if necessary.

31	32	33	34	35	36
37	38	39	40	41	42
43	44	45	46	47	48

D. CHARACTERISTICS OF NON-LISTED HAZARDOUS WASTES. Mark "X" in the boxes corresponding to the characteristics of non-listed hazardous wastes your installation handles. (See §75.261(g)(2) through (5))

☐ 1. IGNITABLE
 ☐ 2. CORROSIVE
 ☒ 3. REACTIVE
 ☐ 4. EP TOXIC

XIII CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

SIGNATURE

[Signature]

NAME and OFFICIAL TITLE (Type or Print)

Pres.

DATE SIGNED

2/21/84

FOR OFFICIAL USE ONLY

Hazardous Waste Inspection Report Generators – Part A

Date of inspection 6/1/89 Time start 1025 Time finish 1140
Name of inspector Richard M. Mieszkowski
Company, installation name HART METALS INC.
Location Route 209
County Schuylkill Municipality Tamaguna
Identification number PAD 041744038
Name of responsible official Robert J. Hart
Title President
Mailing address P.O. Box 428 Tamaguna PA 18252
Area code and telephone number 717-668-0001
Name of person interviewed Robert J. Hart
Title President
Mailing address (if different from above) _____
Area code and telephone number _____

1. Current waste handling method:

- a. ☐ On-site ☐ treatment, ☐ storage, ☐ disposal ☐ PBR
- b. ☐ On-site ☐ use, ☐ reuse, ☐ recycle, ☐ reclaim
- c. ☐ Off-site ☐ treatment, ☐ storage, ☐ disposal
- d. ☐ Off-site ☐ use, ☐ reuse, ☐ recycle, ☐ reclaim

2. Amount of hazardous waste produced:

- a. 454 - 1465 kg./mo.
- b. _____ kg./yr.

present storage
indicates approximately
900 kg/month.
SQG.

[illegible][illegible]

Hazardous Waste Inspection Report
Generators — Part B

1—No Violation Observed				2—Not Applicable	3—Not Determined	4—Non-Compliance
Status				REQUIREMENT		Chapter Citation
1	2	3	4			75.262
1				Hazardous waste determination, copies available		(b)
1				Identification number		(c)(1)
		3		Hazardous waste shipments offered only to licensed transporters		(c)(4)
	2			Authorization received from TSD facility for wastes shipped off-site		(d)
	2			PA manifest used for intrastate shipments		(e)(2)
1				Disposer state manifest or EPA format manifest used for out-of-state shipments		(e)(3)
		3		Manifests filled out properly and completely		(e)(7)
		3		Manifests routed properly and within time limits (7 days)		(e)(14) or (15)
1				Proper U.S. DOT shipping containers or packages		(f)(1)(i)
1				Shipping containers marked and labeled according to U.S. DOT		(f)(1)(ii)
		3		Containers of 110 gal. or less marked with required PA label		(f)(1)(iii)
		3		Placards offered to transporter		(f)(2)
		3		Wastes accumulated on-site for less than 90 days		(g)(1)(i)
		3		Wastes stored in proper containers and properly marked and labeled		(g)(1)(ii)
		3		Containers managed in accordance with 75.265(q)(1) — DF (14)		(g)(1)(iii)
		3		Containers clearly marked with accumulation date and visible for inspection		(g)(1)(iv)
		3		Records retained at designated location for 20 years		(h)
		3		Quarterly reports submitted to the Department		(i)
		3		Exception reporting procedures followed		(j)
		3		Hazardous waste disposal plan, if required		(j)
		3		Spill reporting procedures followed		(m)(1)
		3		Preparedness, Prevention and Contingency Plan and implemented		(m)(5)
	2			Special requirements followed for international shipments		(o)
		3		On the job or classroom personnel training program [75.265(f)]		(g)(1)(6)
		3		Drum accumulation area inspected weekly as per 75.265(q)(5)		(g)(1)(iii)

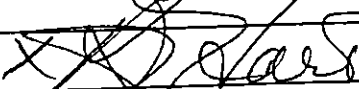
Hazardous Waste Inspection Report
Comments - Part C

Date of Inspection 6/1/89 Identification Number _____
Company, Installation Name Hart Metals
County Schuylkill Municipality Tamulyra

- 1) Mr. Robert Hart has raised the argument that the material is not a hazardous waste.
- 2) Generation rates ~~varied~~ vary from 450 to just over 1000 kg/month.
- 3) Drums of MS-Scrap are labeled according to US DOT Hazardous materials requirements.
- 4) All items relating to generator requirements are marked 3 or "not determined" until this issue is resolved in any further correspondence or appeal.
- 5) I recommend keeping accurate records of the weight of scrap produced per month. This will aid future interpretations of the regulations regarding the generator requirements.

This inspection report is official notification that a representative of the Department of Environmental Resources, Bureau of Waste Management, inspected the above installation. The findings of this inspection are shown in this report. Any violations which were uncovered during the inspection are indicated. Violations may also be discovered upon examination of the results of laboratory analyses and review of Department records. Notification will be forthcoming, confirming any violations indicated herein and listing any additional violations.

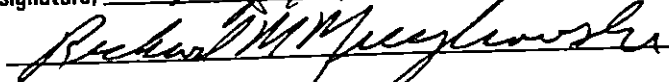
Person Interviewed (signature)



Date

6/1/89

Inspector (signature)



Date

6/1/89

RICHARD M. MIESZKOWSKI

Inspection Report/Data Entry

Site I.D. # RAD041744038
Site Name Hert Metals Inc.
Address _____

Municipality TAMAZULA
Responsible Official _____
Person Interviewed _____
Inspector Rich Mieszkowski

Telephone # _____
Operator Name _____
Address _____
County Schuylkill
Title _____
Title _____
Time _____

Date	Inspection Date	Inspection Type	Facility Type	Inspector I.D. #	# Violation
060119	060119	01	06	2205	09

Comment

Sample # Low

--	--	--	--	--

Sample # High

--	--	--	--	--

Monitoring Points Sampled

INSPECTION TYPE

01 Routine	10 Survey
02 Spill Response	11 Part B
03 Remedial Action	12 Complaint
04 Follow Up	13 Withdrawn
05 Crit Stage	14 Closure
06 Sample Only	15 Post Closure
07 Permitting	16 Form 4
08 Superfund	17 Form 4 w/sample
09 Ground Water	50 Record Rev
	99 Other

FACILITY TYPE

Municipal

- 01 Municipal Waste Landfill
- 02 Construction/Demolition Landfill
- 03 Processing
- 04 Incinerator
- 05 Surface Application

Residual
06 Landfill
07 Demolition
08 Processing
09 Incinerator
10 Surface Application
11 Surface Impoundment
12 Surface Injection Well

Hazardous
01 Disposal
02 Treatment
03 Storage
04 Transporter
05 Permit by Rule
06 Generator
07 SQG
08 RRR
09 Other
50 Superfund

ERB

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

SUBJECT: RCRA Inspection */ Hart Metals Inc.*
PAD 041744038

DATE: *3/29/88*

FROM: Pat McManus *PM*
Environmental Engineer (3HW11)

TO: File

Thru: Joe Kotlinski, Acting Chief *JK*
PA RCRA Enforcement Section (3HW11)

BASED UPON A REVIEW OF THE RCRA INSPECTION REPORT FOR THE FACILITY
REFERENCED ABOVE, I HAVE DETERMINED THAT NO FURTHER ACTION IS
REQUIRED AT THIS TIME.

Hazardous Waste Inspection Report
Generators — Part A

Date of inspection 3/24/88 Time start 8:00 AM Time finish 10:20 AM
Name of inspector David Waddorf
Company, installation name Hart Metals Inc.
Location Rte 209
County Schuykill Municipality Tamayo Boro
Identification number PAD 041744038
Name of responsible official Robert J. Hart
Title President
Mailing address P.O. Box 428 Tamayo PA 18252
Area code and telephone number (717) 668-0001
Name of person interviewed Albert Miller
Title Vice President, Operations
Mailing address (if different from above) — Same —
Area code and telephone number — Same —

1. Current waste handling method:

- | | | | | | |
|----|--|--|-----------------------------------|-----------------------------------|----------------------------------|
| a. | <input type="checkbox"/> On-site | <input type="checkbox"/> treatment, | <input type="checkbox"/> storage, | <input type="checkbox"/> disposal | <input type="checkbox"/> PBR |
| b. | <input type="checkbox"/> On-site | <input type="checkbox"/> use, | <input type="checkbox"/> reuse, | <input type="checkbox"/> recycle, | <input type="checkbox"/> reclaim |
| c. | <input type="checkbox"/> Off-site | <input type="checkbox"/> treatment, | <input type="checkbox"/> storage, | <input type="checkbox"/> disposal | |
| d. | <input checked="" type="checkbox"/> Off-site | <input checked="" type="checkbox"/> use, | <input type="checkbox"/> reuse, | <input type="checkbox"/> recycle, | <input type="checkbox"/> reclaim |

2. Amount of hazardous waste produced:

- a. _____ kg./mo.
b. ~34,100 kg./yr.

3. Types of hazardous waste produced by Hazardous Waste Number:

4. Are hazardous wastes transported off-site by the generator? ☐ Yes ☒ No

EPA

**Pennsylvania Department of Environmental Resources
Bureau of Waste Management**

Hazardous Waste Inspection Report Generators — Part B

Hart Metals Inc.
-PAD 041744038
3/24/88

[illegible]

EPA

Hazardous Waste Inspection Report
Comments - Part C

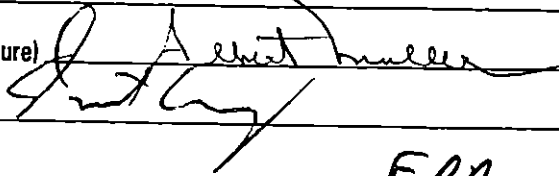
Date of Inspection 3/24/88 Identification Number PAD 041744038
Company, Installation Name Hart Metals, Inc.
County Schuylkill Municipality Tamugan Boro.

In the "Requirement" Section of this inspection report, each listed inspection item may provide only a brief version of its corresponding obligation as described in the body of the regulations. Please use the Chapter citations listed on this inspection report as a reference to obtain a detailed description of compliance requirements.

- (1) Hart Metals Inc. generates waste magnesium metal (in lump and granule form) and waste magnesium oxide (in slag form). The material is currently being manifested to Granfield Alloys of Cleveland, OH for re-processing. Hart Metals will continue this practice until final determination is made regarding generator status.

This inspection report is official notification that a representative of the Department of Environmental Resources, Bureau of Waste Management, inspected the above installation. The findings of this inspection are shown in this report. Any violations which were uncovered during the inspection are indicated. Violations may also be discovered upon examination of the results of laboratory analyses and review of Department records. Notification will be forthcoming, confirming any violations indicated herein and listing any additional violations.

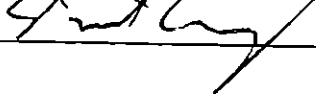
Person Interviewed (signature)



Date

3/24/88

Inspector (signature)



Date

3/24/88

EPA